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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2009 OCT 19 P 4:39

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

OCT 19 2009

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[Signature]

IN THE MATTER OF THE SALE AND
TRANSITION BY ARIZONA PUBLIC
SERVICE TO ELECTRICAL DISTRICT
NO. 3 OF CERTAIN ELECTRICAL
FACILITIES IN PINAL COUNTY
PURSUANT TO A.R.S. § 40-285(A) AND
FOR DELETION FROM ITS CERTIFICATE
OF CONVENIENCE AND NECESSITY
CERTAIN AREAS IN PINAL COUNTY.

DOCKET NO. E-01345A-08-0426

**ARIZONA PUBLIC SERVICE
COMPANY'S MOTION TO
EXTEND TIME TO RESPOND TO
PINAL ENERGY LLC'S MOTION
TO INTERVENE**

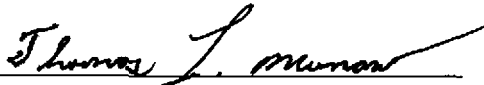
On October 14, 2009, Pinal Energy LLC ("Pinal Energy") filed a Motion to Intervene in this matter. Pursuant to the February 10, 2009 Procedural Order in this docket, all motions to intervene were to be filed on or before March 18, 2009 with any objections due on or before March 27, 2009. This Procedural Order also states any responses to motions shall be filed within five calendar days of the filing date of the motion.

Due to multiple scheduling conflicts throughout this week and Arizona Public Service Company's ("APS" or "Company") desire to consult with ED-3 on this issue, APS respectfully requests an extension of time in which to file an objection to Pinal Energy's late-filed motion. APS hereby requests the response date be extended until October 28, 2009.¹

¹ A.A.C. R14-3-105 (B) as well as R14-3-106 (F) state that requests for intervention are to be deemed "applications" rather than "motions" so it is not clear the five day response time required by the Procedural Order is applicable, but out of caution, the Company files this request for extension.

1 RESPECTFULLY SUBMITTED this 19th day of October, 2009.

2 PINNACLE WEST CAPITAL CORP.
3 Law Department

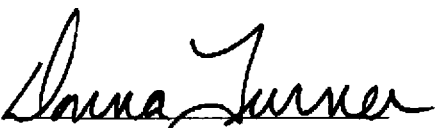
4 
5 Meghan H. Grabel
6 Thomas L. Mumaw

7 Attorneys for Arizona Public Service Company

8 Original and 13 copies of the foregoing were
9 filed this 19th day of October, 2009 with:

10 Docket Control
11 Arizona Corporation Commission
12 1200 West Washington
13 Phoenix, Arizona 85007

14 All Parties of Record

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Copies of the foregoing hand delivered
This 19th day of October 2009 to:

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